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5
6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**

8 DENNIS MONTGOMERY, and the
9 MONTGOMERY FAMILY TRUST,

10 Plaintiffs,

11 v.

12 ETREPPID TECHNOLOGIES, LLC,
13 WARREN TREPP, and the UNITED
STATES DEPARTMENT OF DEFENSE,

14 Defendants.

15 AND ALL RELATED MATTERS.
16

) 3:06-CV-00056-PMP-VPC
) **BASE FILE**
) 3:06-CV-00145-PMP-VPC

) **Ex Parte Request for Permission to file**
) **Declaration in Response to**
) **Montgomery's Ex Parte Application to**
) **Redact Legal Bills; and Request to Strike**
) **Montgomery's Expert's Declaration.**

17 **To All Parties and Attorneys of Records**, attorney Carla DiMare, requests
18 permission to file a declaration and request to strike in Response to Montgomery's recent
19 Ex Parte Application to Redact Legal Bills, with 3 short exhibits. The Montgomery's Ex Parte
20 Application was filed on or about Oct. 23, 2007. Attorney DiMare did not have a chance to
21 respond, (partly due to the fires in southern California), and then the Court issued an Order
22 this morning, Oct. 29, 2007, docket #307, ordering no more filings, except for Montgomery's
23 Reply. Attorney DiMare believed she would have more than five days to respond/object, and
24 is prepared to file this said declaration today, not under seal, if permission is granted. Said
25 declaration is necessary since Montgomery's alleged fee "expert" has dishonestly attacked
26 attorney DiMare's billings, when her billings truthfully conform to accepted practices. It is
27 also necessary because Montgomery's alleged "expert" declaration should be stricken for
28 the legal reasons in said declaration. Permission from this Court is therefore respectfully
requested.

Respectfully submitted,

LAW OFFICE OF CARLA DIMARE

Oct. 29, 2007

/s/ _____
Carla DiMare, Esq.

The aforesaid Ex Parte Motion to file said papers is GRANTED.

IT IS SO ORDERED.

UNITED STATES DISTRICT MAGISTRATE-JUDGE

Oct. _____, 2007

PROOF OF SERVICE

I, Carla DiMare, Esq., certify that I am over the age of 18, and not a party to the within action.

On Oct. 29, 2007 I served the foregoing documents described as:

1. **Ex Parte Request to file Atty. Decl. In Response to Montgomery Ex Parte Application to Redact Legal Bills and Request to Strike Declaration of Montgomery's Alleged Expert;**
2. **Proof of Service.**

On Oct. 26, 2007, Attorney Flynn served via email the foregoing documents described as:

1. **Opposition to Montgomery's Ex Parte Application to Redact Legal Bills;**

on the interested parties in this action by placing a true and correct copy thereof enclosed in sealed envelopes addressed as follows:

1. Deborah Klar & Teri Phlam, Esq., Liner Yankelevitz, 1100 Glendon Ave., 14th Fl., Los Angeles, CA 90024-3503; fax 310-500-3501;
2. Attorneys listed on the docket receive a copy of all electronic filings from the Ct.

 x **By e-mail**

BY MAIL

I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice, it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid at Los Angeles, California, in the ordinary course of business. I am aware that, on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after the date of deposit for mailing.

BY PERSONAL SERVICE

BY FACSIMILE

Executed on Oct. 29, 2007 at San Diego County, CA.

I declare under penalty of perjury, under the laws of the State of California, and Nevada that the foregoing is true and correct.

Carla DiMare, Esq.